

PATENT

Atty. Dkt. No. WEAT/0313

REMARKS

This is intended as a full and complete response to the Office Action dated October 21, 2005, having a shortened statutory period for response set to expire on January 21, 2006.

Claims 1-3, 5-10, 12-17, 26-27, and 30-49 remain pending in the application and are shown above. Claims 4, 11, and 18-25 have been cancelled, and claims 30-47 have been added. Reconsideration of the claims is requested for reasons presented herein.

§ 102

Claims 1-3, 10, and 17-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Howard*, 2003/0159828.

Applicant respectfully traverses this rejection. Section 102(e) requires a published application to be filed "by another." The inventors of *Howard* are the same inventors of the present application. Therefore, this rejection is improper.

Claims 10 is rejected under 35 U.S.C. § 102(b) as being anticipated by *Butler*, 5,607,016.

Butler discloses a process for recovery of hydrocarbons including injecting a hydrocarbon solvent into the reservoir along with a displacement gas. *Butler* does not teach, show, or suggest dissolving an additive material in the well fluids and vaporizing at least a portion of the additive material, thereby forming a cooling zone in a tubular in the wellbore, as recited in claim 10. Withdrawal of the rejection is respectfully requested.

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§ 103

Claims 1-3 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Butler* '016 in view of *Norris, et al.*, '691. The Examiner states Norris discloses a controller to control the pump.

Butler discloses a process for recovery of hydrocarbons including injecting a hydrocarbon solvent into the reservoir along with a displacement gas. Norris discloses a control apparatus for controlling a rate of liquid removal. The references, neither alone nor in combination, teach, show, or suggest a cooling zone, for cooling said well fluids located within said well, said cooling zone having a saturated liquid in said well fluids, wherein vapor evolves from said liquid in said cooling zone as said liquid enters a lower pressure region of cooling zone and a pump positioned above said cooling zone in that portion of said well fluids that is cooled in said wellbore, as recited in claim 1. Also, the references, neither alone nor in combination, teach, show, or suggest a cooling zone adapted to vaporize at least a portion of the additive material and a pump positioned above the cooling zone, as recited in claim 31. Further, the references, neither alone nor in combination, teach, show, or suggest causing the additive material to absorb energy, thereby cooling the formation fluids and positioning a pump above the cooled formation fluids, as recited in claim 40. Further still, the references, neither alone nor in combination teach, show, or suggest providing a cooling zone in the second wellbore, wherein a pressure in the cooling zone is sufficient to vaporize the water and positioning a pump in the cooling zone, as recited in claim 48. Withdrawal of the rejection respectfully requested.

Claim 27 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Butler*, '016.

As discussed above, Applicant believes claim 10 is in condition for allowance. Claim 27 depends from claim 10. Therefore, Applicant also believes claim 27 is in condition for allowance and respectfully requests allowance of the same.

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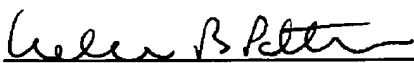
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Conclusion

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Respectfully submitted,



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